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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-07 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-15 IO-13

NIC-01 ACDA-19 RSR-01 /125 W
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R 011308Z SEP 73

FM USMISSION BERLIN

TO AMEMASSY BONN

INFO SECSTATE WASHDC 2344

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

C O N F I D E N T I A L BERLIN 1525

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, RU

SUBJECT: HESS

REF: BERLIN 1422; BERLIN 1429

1. SUMMARY. SOVIETS HAVE AGREED TO PERMIT HESS TO UNDERGO TWO SERIES OF MEDICAL TESTS AT BRITISH MILITARY HOSPITAL (BMH) ON OUT-PATIENT BASIS. FIRST TEST TO BE CONDUCTED EVENING OF SEPTEMBER 4. END SUMMARY.

2. SOVIET EAST BERLIN EMBASSY COUNSELOR BELETSKIY TOLD POLAD AUGUST28, IN RESPONSE TO QUESTION, THAT SOVIETS HAD NEW INSTRUCTIONS THAT WOULD PERMIT TESTS TO BE CARRIED OUT ON HESS IF ALLIES COULD PROVIDE CERTAIN "GUARANTEES". HE SAID SOVIET ACTING GOVERNOR AT SPANDAU WOULD PASS DETAILED SOVIET VIEWS TO ALLIED GOVERNORS WITHIN FEW DAYS. ACTING SOVIET GOVERNOR (VOITOV) TOLD US AND UK GOVERNORS INFORMALLY AUGUST 29 THAT HE THOUGHT EVERYTHING WOULD BE WORKED OUT BUT THAT HE NOT YET PREPARED TO SET FORTH SOVIET CONDITIONS. SOVIET DOCTOR CONFIRMED SAME DAY, HOWEVER, AT MONTHLY QUADRIPARTITE
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DOCTORS' MEETING HIS PREVIOUS AGREEMENT THAT HESS SHOULD

BE GIVEN TESTS AT BMH AS SOON AS POSSIBLE.

3. VOITOV INFORMED REGULAR WEEKLY GOVERNORS' MEETING AUGUST 30 THAT SOVIETS WERE PREPARED TO AGREE TO TESTS PROVIDED ALLIES CONSENTED TO TEN CONDITIONS. ALLIED GOVERNORS SAID THEY WOULD HAVE REFER CONDITIONS TO THEIR AUTHORITIES. ALLIED POLADS AGREED AUGUST 31 THAT SOVIET CONDITIONS WERE ESSENTIALLY ACCEPTABLE. MOST DEALT WITH PURELY ADMINISTRATIVE QUESTIONS, SUCH AS ASSURANCES THAT HESS WOULD RECEIVE ADEQUATE GUARD AT HOSPITAL, PRISON WOULD BE GUARDED IN HIS ABSENCE AS IF HE WERE STILL THERE, AND SOVIET DOCTOR, RADIOLOGIST AND ACTING GOVERNOR WOULD ALL HAVE RIGHT TO BE PRESENT DURING TESTS.

4. FIRST SOVIET CONDITION APPEARED TO COMMIT ALLIED AUTHORITIES NOT TO SAY ANYTHING TO PRESS AT ANY TIME ABOUT PRISONER'S MEDICAL CONDITION. POLADS CONSIDERED THAT IT WAS APPROPRIATE FOR US TO AGREE THAT WE WOULD NOT INITIATE ANY PUBLICITY ON TESTS BE THAT, IF LEAKS DID OCCUR, IT MIGHT BECOME NECESSARY FOR US TO SAY SOMETHING IN ORDER TO PUT AN END TO POSSIBLY UNHELPFUL SPECULATION. (COMMENT: FRENCH WOULD TEND TO SAY THAT NO STATEMENTS SHOULD BE MADE TO PRESS UNDER ANY CIRCUMSTANCES WITHOUT SOVIET CONCURRENCE. WE AND BRITISH ARE PREPARED TO SEEK SOVIET CONCURRENCE IN PRESS STATEMENT ON URGENT BASIS IF CONTINGENCY AROSE, BUT WOULD WISH TO RESERVE OUR POSITION ON PREFERABLE COURSE OF ACTION IN EVENT SOVIETS PREFERRED TO MAINTAIN SILENCE WITH PRESS. END COMMENT) POLADS AGREED THAT SOVIET CONDITION THAT PRISONER WOULD BE RETURNED TO SPANDAU REGARDLESS OF RESULTS OF TESTS WAS ACCEPTABLE SINCE QUIBBLE THAT THIS MATTER BEST LEFT TO JUDGMENT OF FOUR DOCTORS MIGHT HAVE RAISED SOVIET SUSPICIONS UNDULY. BRITISH ALSO EXPRESSED STRONG PREFERENCE FOR HOLDING TESTS IN EVENING RATHER THAN AT 10:00 A.M. AS SUGGESTED BY SOVIETS, ALLEGEDLY BECAUSE THEY CONSIDERED TIME AFTER HOSPITAL WAS CLOSED WOULD REDUCE SECURITY PROBLEMS AND OPPORTUNITIES FOR NEWS LEAKS.

5. VOITOV AGREED AT SPECIAL MEETING AUGUST 31 TO REWRITING OF POINT ON PUBLICITY TO PROVIDE SUFFICIENT CONFIDENTIAL

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FLEXIBILITY FOR ALLIED POSITION. LANGUAGE INSERTED IN MINUTES, WHICH IS ATTRIBUTED TO VOITOV, IS "THE AMERICAN, BRITISH, FRENCH AND SOVIET AUTHORITIES WILL NOT INITIATE ANY STORY WITH THE PRESS ABOUT THE PRISONER'S VISIT TO THE HOSPITAL, OR ABOUT CONDITIONS OF HIS HEALTH". VOITOV ALSO ACCEPTED BRITISH SUGGESTIONS FOR TIMING OF TESTS. FIRST SERIES WILL ACCORDINGLY BEGIN AT 1800 ON SEPTEMBER 4, AND SECOND SERIES WILL BEGIN AT 1800 ON SEPTEMBER 10.

UNDER AGREED CONDITIONS, EACH SERIES OF TESTS IS TO BE COMPLETED AND PRISONER RETURNED TO SPANDAU WITHIN SIX HOURS.

6. COMMENT: WHILE WE CANNOT, OF COURSE, DISCOUNT POSSIBILITY THAT SOVIET SUSPICIONS WILL RETURN IN ACUTE FORM IF TESTS REVEAL NEED FOR MAJOR ADDITIONAL MEDICAL TREATMENT, TIMELY TRIPARTITE DEMARCHE IN MOSCOW APPEARS TO HAVE STRENGTHENED HANDS OF THOSE IN SOVIET EMBASSY EAST BERLIN WHO ARE PREPARED TO PERMIT ALLIES TO CARRY OUT THEIR RESPONSIBILITIES TO PROVIDE HESS WITH ADEQUATE MEDICAL TRATMENT. WE WILL CONTINUE TO WATCH SITUATION CLOSELY IN EFFORT TO ENSURE NOT ONLY THAT HESS RECEIVES PROPER MEDICAL CARE,BUT ALSO THAT SOVIETS ARE GIVEN NO GROUNDS TO FEAR THAT ALLIES ARE USING THIS ISSUE TO MANUEVER HESS OUT OF SPANDAU SURREPTITIOUSLY. END COMMENT.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 01 SEP 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BERLIN01525
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS KLEIN
Errors: N/A
Film Number: n/a
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730958/aaaabqj.tel
Line Count: 132
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: BERLIN 1422; BERLIN 1429
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 06 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06-Aug-2001 by kelleyw0>; APPROVED <19 FEB 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HESS
TAGS: PGOV, PFOR, WB, UR, (HESS, RUDOLF)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005